

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**(Under 37 CFR 1.97(b) or 1.97(c))**Docket No.
14418In Re Application Of: **Benjamin Eithan Reubinoff, et al.**

JUL 30 2004

Application No.

Filing Date

Examiner

Customer No.

Group Art Unit

Confirmation No.

09/808,382

March 14, 2001

Deborah Crouch

23389

1632

1139

Title: **EMBRYONIC STEM CELLS AND NEURAL PROGENITOR CELLS DERIVED THEREFROM**

Address to:

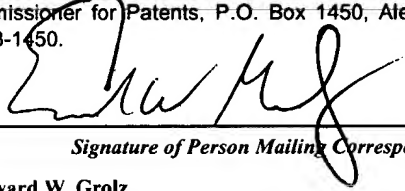
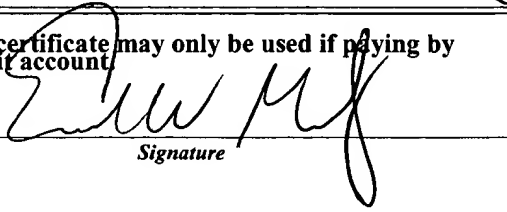
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**37 CFR 1.97(b)**

1. ☐ The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

37 CFR 1.97(c)

2. ☒ The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:

☒ the statement specified in 37 CFR 1.97(e);**OR**☐ the fee set forth in 37 CFR 1.17(p).

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT (Under 37 CFR 1.97(b) or 1.97(c))					Docket No. 14418	
In Re Application: Benjamin Eithan Reubinoff, et al.						
Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.	
09/808,382	March 14, 2001	Deborah Crouch	23389	1632	1139	
EMBRYONIC STEM CELLS AND NEURAL PROGENITOR CELLS DERIVED THEREFROM						
Payment of Fee (Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))						
<input type="checkbox"/> A check in the amount of _____ is attached. <input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. 19-1013/SSMP as described below.						
<input type="checkbox"/> Charge the amount of _____ <input checked="" type="checkbox"/> Credit any overpayment. <input checked="" type="checkbox"/> Charge any additional fee required.						
Certificate of Transmission by Facsimile*				Certificate of Mailing by First Class Mail		
I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. _____). _____ (Date) _____ Signature _____ Typed or Printed Name of Person Signing Certificate				I certify that this document and fee is being deposited on 7/28/2004 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.  Signature of Person Mailing Correspondence Edward W. Grolz _____ Typed or Printed Name of Person Mailing Certificate		
*This certificate may only be used if paying by deposit account.  Signature				Dated: July 28, 2004		
Edward W. Grolz Registration No.: 33,705 Scully, Scott, Murphy & Presser 400 Garden City Plaza Garden City, NY 11530 (516) 742-4343						
cc:						



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Benjamin Eithan Reubinoff, et al.

Examiner: Deborah Crouch

Serial No.: 09/808,382

Art Unit: 1632

Filed: March 14, 2001

Docket: 14418

For: EMBRYONIC STEM CELLS
AND NEURAL PROGENITOR
CELLS DERIVED THEREFROM

Date: July 28, 2004

Confirmation No.: 1139

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

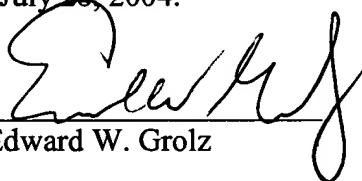
Sir:

In accordance with 37 C.F.R. §§1.97 and 1.98, it is requested that the references,
listed on the attached Form PTO-1449, be made of record in the above-identified case.

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 28, 2004.

Dated: July 28, 2004


Edward W. Grolz

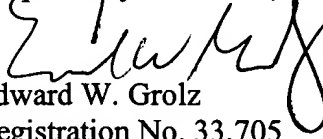
The references were cited in a Supplementary Partial Search Report dated April 29, 2004 received from the European Patent Office. Applicants are submitting copies of the cited references, together with a copy of the Search Report. The relevance of the references has been described in the Search Report.

The Search Report also cites T. Mujtaba, et al. and Li, et al., which were submitted in an Information Disclosure Statement dated April 29, 2004. Therefore, these two references are not included in the attached Form PTO-1449.

Further, since certification pursuant to 37 C.F.R. §1.97(c) and (e) the information presented in this Information Disclosure Statement was first cited in a communication from the European Patent Office in connection with a corresponding European application not more than three months prior to the filing of this statement is enclosed herewith, no fee under 37 C.F.R. §1.197(c) is required.

Consideration of this Information Disclosure Statement is respectfully requested, since the art provided may be material to the examination of the present application as defined under 37 C.F.R. §1.56.

Respectfully submitted,


Edward W. Grolz
Registration No. 33,705

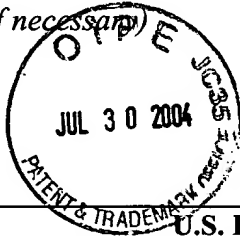
Scully, Scott, Murphy & Presser
400 Garden City Plaza
Garden City, NY 11530
Telephone: (516) 742-4343

EWG/XZ:ng

Form PTO-1449 U.S. DEPARTMENT OF COMMERCE
(REV. 7-80) PATENT AND TRADEMARK OFFICE

INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

**Atty. Docket No. (Optional)**

14418

Application Number

09/808,382

Applicant(s)

Benjamin Eithan Reubinoff, et al.

Filing Date

March 14, 2001

Group Art Unit

1632

U.S. PATENT DOCUMENTS

EXAMINER INITIAL*		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (if appropriate)
	AA						

FOREIGN PATENT DOCUMENTS

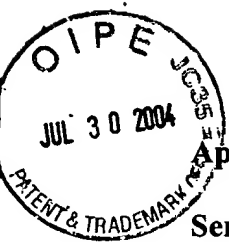
	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	1.	R.A. Pedersen, "Studies of <i>in vitro</i> Differentiation with Embryonic Stem Cells", <u>Reprod. Fertil. Dev.</u> , Vol. 6, pp. 543-552, (1994)
	2.	P.D. Rathjen, et al., "Properties and Uses of Embryonic Stem Cells: Prospects for Application to Human Biology and Gene Therapy", <u>Reprod. Fertil. Dev.</u> , Vol. 10, pp. 31-47, (1998)

EXAMINER**DATE CONSIDERED**

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Benjamin Eithan Reubinoff, et al. **Examiner:** Deborah Crouch
Serial No.: 09/808,382 **Art Unit:** 1632
Filed: March 14, 2001 **Docket:** 14418
For: EMBRYONIC STEM CELLS
AND NEURAL PROGENITOR
CELLS DERIVED THEREFROM **Date:** July 28, 2004
Confirmation No.: 1139

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

**STATEMENT PURSUANT
TO 37 C.F.R. § 1.97(c)(1) and (e)(1)**

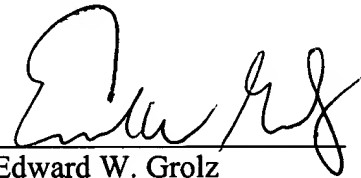
Sir:

I hereby state that each item of information contained in this Information Disclosure Statement was cited in a communication from the European Patent Office in connection with the subject applications counterpart European application not more than three months prior to the filing of this statement.

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Box 1450, Alexandria, VA 22313-1450 on July 28, 2004.

Dated: July 28, 2004

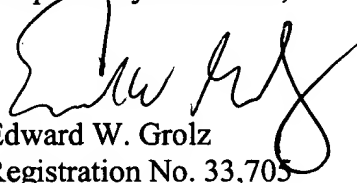

Edward W. Grolz



Accordingly, it is respectfully requested that the accompanying Information

Disclosure Statement be considered with respect to the above-identified application.

Respectfully submitted,



Edward W. Grolz

Registration No. 33,705

Scully, Scott, Murphy & Presser
400 Garden City Plaza
Garden City, New York 11530
(516) 742-4343
EWG:ab